

1 The Honorable David G. Estudillo  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

GABRIELLA SULLIVAN, et al.,

NO. 3:22-cv-05403-DGE

Plaintiffs,

LCR 3(h) NOTICE OF PENDENCY OF  
OTHER ACTION

v.

BOB FERGUSON, in his official capacity  
as Washington State Attorney General, et  
al.,

Defendants.

**NOTICE OF PENDENCY OF OTHER ACTION IN ANOTHER JURISDICTION**

Pursuant to LCR 3(h), Defendants Bob Ferguson and John R. Batiste hereby notify the Court of a pending action in another jurisdiction that involves part of the same subject matter and two of the same parties (Robert W. Ferguson and John R. Batiste) as this case. The other action, *Brumback, et al. v. Ferguson, et al.*, No. 1:22-cv-03093-MKD (E.D. Wash.), presents a challenge to SB 5078 (Washington's large-capacity magazine law) under the Second Amendment to the U.S. Constitution and article 1, section 24 of the Washington State Constitution.

Defendants Ferguson and Batiste do not believe that transfer should be effected pursuant to 28 U.S.C. § 1407 at this time. Defendants Ferguson and Batiste do anticipate that some form of coordination between the actions (such as coordination of case schedules and

1 discovery) could avoid conflicts, conserve resources and promote an efficient determination of  
2 the actions due to the likelihood of common questions of fact and law.

3 DATED this 26th day of July 2022.

4 ROBERT W. FERGUSON  
5 Attorney General

6 /s/ R. July Simpson  
7 R. JULY SIMPSON, WSBA #45869  
8 WILLIAM MCGINTY, WSBA #41868  
9 ANDREW HUGHES, WSBA #49515  
BRIAN HUNT ROWE, WSBA #56817  
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14 *Attorneys for Defendants Bob Ferguson  
and John R. Batiste*  
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## **DECLARATION OF SERVICE**

I hereby declare that on this day I caused the foregoing document to be electronically filed with the Clerk of the Court using the Court's CM/ECF System which will send notification of such filing to all counsel of record.

I declare under penalty of perjury under the laws of the State of Washington and the United States of America that the foregoing is true and correct.

DATED this 26th day of July 2022, at Tacoma, Washington.

/s/ R. July Simpson  
R. JULY SIMPSON, WSBA #45869  
Assistant Attorney General